

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-43 are pending. Several claims have been amended to better define the claimed invention. No new matter has been introduced through the foregoing amendments.

The rejection of claims 1-6, 8, 9, 14-18, 20, 21, 23, 29-34, 41 and 43 under 35 USC 103(a) over *Andersen* in view of *Shipp* is hereby traversed. There are several reasons the independent claims are patentable over the combination of references and withdrawal of the rejection is respectfully requested.

First, *Shipp* fails to disclose the claimed step of "storing in a buffer data relating to requests which identify a destination host not in the record" as detailed in the previous Amendment paper, at page 9 line 12 from bottom through page 10 line 11. The previous argument is incorporated by reference herein.

Second, *Shipp* and *Andersen* are not properly combinable for at least the reason presented in the previous Amendment paper, at page 11, the third full paragraph. The previous argument is incorporated by reference herein.

Notwithstanding the above and solely for the purpose of expediting prosecution, Applicants have amended the independent claims to further distinguish the claimed invention from the applied references. In particular, independent claim 1 now recites, among other things, that

(a) the claimed steps are carried out by the first host, and

(b) all requests are automatically transmitted.

Amended claim 1 is believed patentable over the applied art of record for at least the following reasons.

In *Andersen*, a client uses an access list downloaded from a log server 150, to determine how to handle internally-generated requests to contact network hosts. If such a request conflicts with the access list, then:

- (i) in the Figure 3 embodiment (hereinafter the “non-blocking embodiment”), conflicted requests are still allowed (column 6, line 24); or
- (ii) in the Figure 4 embodiment (hereinafter the “blocking embodiment”), conflicted requests are blocked (column 6, line 63).

For both embodiments, details of the conflicted requests are sent to the logging server where they are periodically examined by a supervisor who may then decide to update the access list.

Shipp discloses a system for monitoring e-mail traffic for viruses and comprises, at an e-mail server

- a message decomposer/analyzer 21 for analyzing incoming emails to see if they are suspect,
- a logger 22 for recording details of suspect emails in a database 23,
- a searcher 24 for scanning the database for virus bearing traffic, and
- a stopper 25 which optionally stops emails that according to the message decomposer/analyzer, meet the same criteria as the searcher has identified as characteristic of viral traffic.

An email blocked by the stopper may be temporarily stored for retrieval by the intended recipient who is informed by email that there is a potentially infected email awaiting them. *Shipp* at page 12, lines 3-5.

A person of ordinary skill in the art would recognize that it would not have been obvious to properly modify the non-blocking embodiment (FIG. 3) of *Andersen* to include the email stopper of *Shipp* as argued by the Examiner in page 4 of the Office Action. The reason is that, for the non-blocking embodiment of *Andersen*, it would serve no purpose to include a temporary store as taught by *Shipp* since nothing has been blocked and there is no need to temporarily store anything for later

retrieval.

Furthermore, the person of ordinary skill in the art would further recognize that if the blocking embodiment (FIG. 4) of *Andersen* was modified to include the email stopper of *Shipp* as argued by the Examiner in page 4 of the Office Action, the combined method would fail to meet the requirement of claim 1 that all requests are automatically transmitted.¹ If the email stopper of *Shipp* is interpreted differently as eventually granting all blocked requests when intended recipients of the blocked requests ask for the blocked messages to be forwarded, the forwarding of the blocked messages is not carried out automatically as now recited in amended claim 1; it is forwarded/carried out upon recipient/user intervention.

Finally, even if the person of ordinary skill in the art would find it obvious to combine *Andersen* with *Shipp*, which Applicants contend to the contrary as detailed immediately above, the combined method would still fail to include the added feature of claim 1 that the steps are carried out by the first host. In *Andersen*, the access list which the Examiner is interpreted as the claimed "record which is at least indicative of identities of destination hosts within the network to whom data has been sent by the first host" is established by the log server, rather than by the client machine from which data is requested to be sent.

For the overwhelming reasons presented above, Applicants respectfully submit that amended independent claim 1 is patentable over the applied art of record.

Independent claims 29 and 43 include limitations similar to those of claim 1, and are believed patentable over the applied references for at least the relevant reasons presented *supra* with respect to claim 1.

The rejection of claims 7, 10-13, 19, 22, and 35-40 under 35 USC 103(a) as being unpatentable over *Andersen* in view of *Shipp* and one or more of *Maher, III et al.* (US 7,058,974), *Ramanujan* (US 5,341,491), *Cunningham et al.* (EP 0 986 229), and *Anderson* (US 2002/0013858) are hereby traversed. None of *Maher*, *Ramanujan*, *Cunningham*, or *Anderson* appear to cure the above-noted deficiencies of the combination of *Andersen* and *Shipp*. For at least this reason,

¹ See the present specification at page 10, line 15 as to what is meant by 'transmitting a request'.

withdrawal of the rejection is respectfully requested.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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